

3978. Misbranding of "Stuart's Buchu and Juniper Compound." U. S. v. 2 Cases * * * of * * * "Stuart's Buchu and Juniper Compound." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6030. I. S. No. 129-k. S. No. E-143.)

On October 29, 1914, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases, each containing 24 bottles of "Stuart's Buchu and Juniper Compound," remaining unsold in the original unbroken packages at Spartanburg, S. C., alleging that the product had been shipped on April 17, 1914, and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Some of the retail packages were labeled: "Stuart's Buchu and Juniper Compound Alcohol 16% Prepared by Stuart Manufacturing Co., Atlanta, Ga. Kidney and Liver Remedy and Invigorating Cordial Trade Mark Guaranteed under the Pure Food and Drug Act of June 30, 1906. Serial No. 4570. Relieves Inflammation of the Kidneys, Brick Dust Deposit, Catarrh of the Bladder, Diabetes, Dropsy, Gravel, Headache, Dyspepsia, Incontinence of Urine, Pain in the Back and Side, Loss of Appetite, General Debility, Neuralgia, Sleeplessness, Rheumatism, Nervousness. An Infallible Remedy for all Diseases of the Urinary Organs in Either Sex. Adults Dose—One or two tablespoonfuls in same amount of sweetened water just before or just after meals and at bed time. For Children—One to two teaspoonsful according to age." Other retail packages were labeled: "Stuart's Buchu and Juniper Compound 16% Prepared by Stuart Manufacturing Company, Atlanta, Ga. Kidney and Liver Remedy Invigorating Cordial. Trade Mark No. 4570. Guaranteed by John B. Daniel, Atlanta, Ga. under the Pure Food and Drugs Act of June 30, 1906. This Remedy is recommended for Acute and Chronic Diseases of the Kidneys, Liver, Bladder, Urinary Organs, Kidney Complaint and Uric Acid Troubles, which often lead to Bright's Disease. Adult Dose—One to two tablespoonful in same amount of sweetened water just before or just after meals and at bedtime. For children—One to two teaspoonsful according to age." On some of the bottle labels the following appeared: "Kidney and Liver Remedy. This Remedy is recommended for acute and chronic diseases of the kidneys, liver, bladder, urinary organs, kidney complaint and uric acid troubles, which often lead to Bright's Disease." On other bottle labels the following appeared: "Relieves Inflammation of the Kidneys, Brick Dust Deposit, Catarrh of the Bladder, Diabetes, Dropsy, Gravel, Headache, Dyspepsia, Incontinence of Urine, Pain in the Back and Side, Loss of Appetite, General Debility, Neuralgia, Sleeplessness, Rheumatism, Nervousness. An Infallible Remedy for all diseases of the Urinary Organs in either sex." On cartons: "For the Following Troubles. Incontinence or non-retention of urine; inflammation or ulceration of the bladder, kidneys and urinary glands; diseases of the prostate glands, stone in the bladder, calculus; mucous or milky discharges, and all diseases or affections of the bladder, kidneys and urinary organs in men, women and children; also dropsy, dropsical swellings, weakness arising from excesses, habits of dissipation, early indiscretion or abuse, attended with the following symptoms: Indisposition to exertion, loss of power, loss of memory, difficulty of breathing, weak nerves, trembling, horror of disease, dimness of vision, wastefulness, pain in the back, loins or kidneys, hot hands, flushing of the cheek, dryness of the skin, pallid countenance, etc." "Kidney and Liver Remedy." "For inflammation of the Kidneys, Catarrh of the Bladder, Diabetes, Dropsy, Gravel, Headache, Incontinence of the Urine, Pain in the Back and Side, Neuralgia, Sleeplessness, Rheumatism, and for all diseases of the Urinary Organs in either sex." On circular or leaflet: "We always advise you to take at least 6 bottles so as to be sure to rid your kidneys and bladder of all impurities. For Diabetes you should take more as it takes time to make a complete cure. Be patient and persistent in the use of Stuart's Buchu and Juniper Compound and you will be surprised at the happy results that

follow its use." " * * * the presence of the Bright's disease is known by many of the following symptoms: Headache, nervousness, thirst, hot and dry skin, shortness of breath on making exertion, chilly sensations at times, evil forebodings, restless or uneasy feelings, troubled sleep, puffiness of the eyelids, swelling of the feet and ankles, loss of flesh, the urine is strong and colored with deposits of casts, etc., and cloudiness as the disease advances, and in the last stages there are chills, vomiting and convulsions. For all the above symptoms we advise the use of Buchu and Juniper Compound because of its direct action upon the diseased kidneys. It helps restore the kidneys to their healthy action and thus stops the loss of the albumen and fibrin of the blood. Stuart's Buchu and Juniper Compound should be used at once upon any suspicion of Bright's disease, and its use continued until perfect health is restored. Kidney disease and Congestion of the Kidneys, etc. Other forms of kidney disease, congestions and inflammations result from exposure and improper habits, or they follow various diseases such as scarlet fever, diphtheria and malaria, that disturb the proper action of the kidneys so as to prevent them from casting out the impurities through the urine. The following symptoms are observed in such cases: The urine shows decided brick dust deposits and stringy mucous. It is scanty and high colored or pale and of a very disagreeable odor. There is much lassitude and general weakness, a fickle appetite, sleeplessness, pains in the back and loins, irregularity of the bowels, disordered appetite, and in some cases an acute pain in the region of the kidneys. Stuart's Buchu and Juniper Compound is advised for all of the above symptoms. By its correct action on the bladder Stuart's Buchu and Juniper Compound helps drain the impurities out through the urine, and in this way a perfect cure is made. Catarrh of the Bladder, Cystitis, etc. These diseases naturally follow where any disorder of the kidney changes the nature and quality of the urine. This diseased urine accumulates in the bladder and causes acute or chronic inflammation (cystitis), ulcerations or catarrh of the bladder and urinary tract. Therefore this condition cannot be cured until the source of the disease is removed. Take Stuart's Buchu and Juniper Compound for above trouble. It helps to bring the kidneys back to their normal action, so that the urine is healthy and is no longer a cause of irritation. Gravel, stone in the bladder, etc. When the uric acid and urea are not regularly expelled from the system by the kidneys the accumulation often takes the form of crystals or small masses of solid substances. These substances cause intense pain in passing from the kidneys down the ureters into the bladder. At the same time they wound and injure the delicate lining membranes of the kidneys and ureters, causing inflammation and ulceration. This condition of salt-like or lime-like formation in the kidneys or bladder is known as gravel, and the larger masses or calculi as stone in the bladder. The symptoms are—burning sensation in passing urine, frequent desire to urinate, the urine is thick and sedimentary, the whole nervous system is disordered, there seems to be a general breaking down of the constitution, the digestion is impaired, the sleep disturbed, and emaciation, loss of strength and vigor are evident. For the above symptoms we advise a continued use of Stuart's Buchu and Juniper Compound. It helps wonderfully in dissolving and carrying out of the system the uric acid and urea, which are the immediate causes of the disease. At the same time Stuart's Buchu and Juniper Compound helps heal the wounded and also ulcerated surfaces which have been injured by the presence of the solid crystals of uric acid, etc., so that in a short time the natural operations of the kidneys and urinary organs are carried on healthy and without suffering. Diabetes. In this disease the secretion of urine is very abundant, it is of a high color and low specific gravity, it usually contains sugar, there is much loss of flesh, a tendency to formation of tumors, boils, carbuncles, etc., the patient suffers from much headache and nearly constant thirst, with marked loss of strength and vigor. Stuart's Buchu and Juniper Compound is advised for Diabetes in every form, and should be used promptly and at the earliest possible stage of this most insidious disease. It is advisable to keep on taking Stuart's Buchu and Juniper Compound."

It was alleged in the libel that the article was misbranded in that * * * the words and figures so declared, marked, printed, branded, and labeled in and upon the said packages, bottles, cartons, circulars, and leaflets, as aforesaid, were misleading, false, and fraudulent; and, further, that the said article was misbranded regarding the curative or therapeutic effects of such article or any of the ingredients or substances contained therein within the meaning of the act of Congress approved on the 30th day of June, A. D. 1906, as amended by the act of Congress approved on the 23d day of August, A. D. 1912.

On April 27, 1915, no claim or appearance having been made and testimony having been taken before the court and a jury, a verdict was returned by the jury finding that the article was misbranded.

On motion of the United States attorney it was thereupon ordered by the court that the article should be condemned, and that it should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *July 17, 1915.*